

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

TROY G. HAMMER,

Plaintiff,

v.

Case No. 21-C-1183

TODD HAMILTON and
SAMANTHA SCHWARTZ-OSCAR,

Defendants.

**ORDER GRANTING MOTION TO PROCEED WITHOUT
PREPAYMENT OF FILING FEE**

Plaintiff Troy G. Hammer filed a complaint against Defendants Todd Hamilton and Samantha Schwartz-Oscar on October 13, 2021. Hammer seeks to proceed *in forma pauperis*. The Court has reviewed the affidavit submitted in support of the motion and concludes that Hammer lacks sufficient income and/or assets to pay the filing fee. Accordingly, Hammer's motion for leave to proceed without prepayment of the filing fee (Dkt. No. 3) is **GRANTED**.

IT IS HEREBY ORDERED that the United States Marshal shall serve a copy of the Complaint and this Order upon Defendants pursuant to Federal Rule of Civil Procedure 4. Hammer is advised that Congress requires the U.S. Marshals Service to charge for making or attempting such service. 28 U.S.C. § 1921(a). The current fee for waiver-of-service packages is \$8.00 per item mailed. The full fee schedule is provided at 28 C.F.R. §§ 0.114(a)(2), (a)(3). Although Congress requires the Court to order service by the U.S. Marshals Service precisely because *in forma pauperis* plaintiffs are indigent, it has not made any provisions for these fees to

be waived either by the Court or by the U.S. Marshals Service. The Court is not involved in the collection of the fee.

IT IS FURTHER ORDERED that Defendants shall file a responsive pleading to the Complaint within the time allowed under the Federal Rules of Civil Procedure.

Finally, Hammer must notify the Clerk of Court's office of any change of address. Failure to do so could result in orders or other information not being timely delivered, thus affecting the legal rights of the parties. It could also result in dismissal of the lawsuit.

Dated at Green Bay, Wisconsin this 20th day of October, 2021.

s/ William C. Griesbach
William C. Griesbach
United States District Judge